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Docket No.: 69774(49163)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
William G. Cance et al.

Application No.: 10/579,529

Confirmation No.: 2999

Filed: May 15, 2006

Art Unit: N/A

For: METHODS AND COMPOSITIONS FOR
INDUCING APOPTOSIS

Examiner: Not Yet Assigned

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

On February 29, 2008 a Notice of Abandonment was received by Applicant's previous attorney of record. Applicant's current attorney of record received a copy of the Notice of Abandonment on March 5, 2008. The Notice of Abandonment stated that the application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495.

Applicants have attached a copy of a Notification of Defective Response mailed on October 5, 2007. Applicants failed to respond to the Notification by the one month deadline of November 5, 2007.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. It

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is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent, the enclosed Amendment and Response should be entered and the case revived.

Please charge our Deposit Account No. 04-1105 in the amount of \$770.00 covering the fee set forth in 37 CFR 1.17(m). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 69774(49163). A duplicate copy of this paper is enclosed.

Dated: April 24, 2008

Respectfully submitted,

By Elizabeth Spar
Elizabeth Spar

Registration No.: 45,123
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Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2008

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	770.00
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Complete if Known

Application Number	10/579,529-Conf. #2999
Filing Date	May 15, 2006
First Named Inventor	William G. Cance
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	69774(49163)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer & Dodge LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>	
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>
Utility	310	155	510	255	210	105
Design	210	105	100	50	130	65
Plant	210	105	310	155	160	80
Reissue	310	155	510	255	620	310
Provisional	210	105	0	0	0	0

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

<u>Small Entity</u>	<u>Fee (\$)</u>
50	25
210	105
370	185

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
		- 100 = /50 = (round up to a whole number) x =		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2453 Petition to revive unintentionally abandoned ...

770.00

SUBMITTED BY

Signature	<u>Elizabeth Spar</u>	Registration No. (Attorney/Agent)	45,123	Telephone	(617) 239-0575
Name (Print/Type)	Elizabeth Spar	Date	April 24, 2008		